

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claim 15 was previously cancelled without prejudice to or disclaimer of the subject matter set forth therein. Claims 1-14 and 16-21 are pending. Claims 1 and 16-19 are amended. Claims 1 and 17 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Request for Reconsideration /Reasons for Entry of Amendments

At the outset, it is respectfully submitted that the rejection of at least claims 18 and 19 is not proper. (See arguments below.) By way of this Reply, portions of previously presented claims 18 and 19 have been added, respectively, to independent claims 1 and 17. Independent claims 1 and 17 are now in condition for allowance.

Accordingly, it is respectfully requested that this Reply be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Reply be entered for the purpose of appeal. The arguments in this Reply were not presented at an earlier date in view of the fact that Applicant did not fully appreciate the Examiner's position until the Final Office Action was reviewed. Inasmuch as the claims as amended herein only contain subject matter that

has already been considered by the Examiner, no further search of the related art is required or warranted. This application is ready for issue.

Examiner Interview

If, during further examination of the present application, a discussion with the Applicant's Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at his convenience.

Claim Objection

The Examiner has objected to claim 16. In order to overcome this objection, the Applicant has amended claim 16 to depend from claim 12. Reconsideration and withdrawal of this objection are respectfully requested.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 3, 4, 6, 9, 10, 12, 13, and 17-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Caprai (U.S. Patent 6,251,015) in view of Ritchie (U.S. Patent 4,637,605); and

claims 2, 5, 7, 8, 11, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Caprai and Ritchie, and further in view of Pittarelli (U.S. Patent 3,964,564).

These rejections are respectfully traversed.

Amendments to Independent Claims 1 and 17

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application, each of independent claims 1 and 17 has been amended herein to recite a combination of elements directed to a riding simulation system, including *inter alia*

“a body for rotatably securing said steering handle mechanism, the body comprising a pair of left and right main frames, a centrally located main frame, and a pair of sub-frames connected to roughly central portions of the right and left main frames so as to extend toward a front side of the simulation system,

a control unit for said system being mounted between said pair of left and right main frames and under the centrally located main frame.”

Support for the features now set forth in independent claims 1 and 17 can be seen, for example, in claims 18 and 19 as previously presented and in FIGS. 1 and 4.

First of all, it is difficult for the Applicant to understand how the Examiner can reasonably consider Ritchie to teach “control unit for said system being mounted between said pair of left and right main frames and under the centrally located main frame,” as in claims 1 and 17 as previously presented.

On page 11 of the Office Action, the Examiner has annotated FIG. 1 of Ritchie, and alleges that control unit 3 (as shown in FIG. 1 of Ritchie) “is mounted between said pair control unit for said system being mounted between said pair of left and right main frames

and under the centrally located main frame.” The Applicant respectfully disagrees with the Examiner’s position.

The Examiner is directed to enlarged, detailed versions (FIGS. 4, 9, and 10) of the Ritchie device as shown in high-level FIG. 1. It is evident from each of Ritchie’s FIGS. 1, 4, 9, and 10, that control unit 3 is NOT mounted between the pair of main frames as the Examiner alleges. As can be seen in the Examiner’s annotated FIG. 1 of Ritchie on page 11 of the Office Action (and also FIGS. 4, 9, and 10, which are enlarged views of FIG. 1), the control unit 3 is forward of the downward extending pipes (called right and left main frames by the Examiner).

As the Examiner is fully aware, the Examiner must consider a prior art reference as a whole when making a rejection, and is forbidden from randomly citing selected portions of a reference without considering the context of the entire reference. Specifically, regarding the present application, which the Examiner has rejected based on Ritchie, it is certainly not proper for the Examiner to selectively use the high level drawing of Ritchie’s FIG. 1, while ignoring Ritchie FIGS. 4, 9, and 10, each of which explicitly conflicts with the Examiner’s allegations about the structure of the Ritchie device. Thus the Examiner’s rejection of claims 1 and 17 as previously presented is not proper.

Secondary, as previously set forth in each of claims 18 and 19, and as now set forth in each of independent claims 1 and 17, FIGS. 1 and 4 of the present invention explicitly illustrate subframes 54a, 54b connected to roughly central portions of the right and left main frames 52a, 52b so as to extend toward a front side of the simulation system 10.

However, on page 6 of the Office Action, in the rejection of claim 18 and 19, the Examiner asserts that Ritchie teaches “a pair of sub-frames connected to roughly central portions of the right and left main frames so as to extend toward a front side of the simulation system.” This is not the case; they extend away from the front side of the simulation unit.

Further, pipes (called sub-frames by the Examiner) merely extend rearwardly (rather than forwardly) from a position near upper parts (rather than being connected to central portions) of the downward extending pipes.

Thus, Ritchie cannot possibly teach or suggest “a pair of sub-frames connected to roughly central portions of the right and left main frames so as to extend toward a front side of the simulation system”, as set forth in claims 1 and 17 of the present invention.

Further, as the Examiner concedes, Caprai cannot make up for the above deficiencies of Ritchie to reject claims 1 and 17 of the present invention.

At least for the reasons explained above, the Applicant respectfully submits that the combination of elements as set forth in each of independent claims 1 and 17 is not disclosed or made obvious by the prior art of record, including Caprai and Ritchie.

Therefore, independent claims 1 and 17 are in condition for allowance.

Dependent Claims

The Examiner will note that dependent claims 16, 18 and 19 have been amended.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Application No. 10/776,522
Reply dated: February 5, 2008
Reply to Office Action of November 5, 2007

Docket No. 0505-1268P
Art Unit: 3709
Page 14 of 15

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a)
are respectfully requested.

Application No. 10/776,522
Reply dated: February 5, 2008
Reply to Office Action of November 5, 2007

Docket No. 0505-1268P
Art Unit: 3709
Page 15 of 15

CONCLUSION

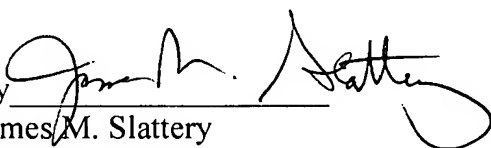
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: **February 5, 2008**

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery
Reg. No. 28,380
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JMS/CTT/smj 